

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 7232 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE A.R.DAVE

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge? : NO

MEGHABHAI NAJABHAI HARIJAN

Versus

COLLECTOR

Appearance:

MR MRUGEN K PUROHIT for Petitioners
Mr.N.D. Gohel, AGP, for the respondents.

CORAM : MR.JUSTICE A.R.DAVE

Date of decision: 14/12/1999

ORAL JUDGEMENT

Rule. Service of Rule is waived by learned AGP
Shri N.D. Gohel.

Learned Advocate Shri Desai, appearing for the
petitioners, has prayed that petitioners Nos. 2 to 6 be
permitted to be deleted as they are filing separate
petitions. The said prayer is granted and petitioners
Nos. 2 to 6 are ordered to be deleted.

At the request of the learned Advocates, the matter is finally heard today.

It has been submitted by learned Advocate Shri Desai, appearing for the petitioner, that the petitioner had given several applications to respondent No.2 for regularization in respect of the land in question. Copies of the applications given by the petitioner have been annexed as Annexures 'A' and 'F' to the petition. The grievance which the petitioner has ventilated in the petition is with regard to non-consideration of the applications given by the petitioner. It has been submitted by the petitioner that it was the duty of respondent No.2 to at least give reply or inform the petitioner whether his applications have been considered by the said authority.

Learned AGP Shri Gohel has submitted that the petitioner has no legal right to get the Government land, but he has conceded the fact that the authorities ought to have replied to the petitioner.

Looking to the facts of the case, it is directed that the respondents shall consider the applications given by the petitioner with regard to grant of the land in question in accordance with law and shall communicate the final decision to the petitioner as soon as possible and preferably before 30th April, 2000.

The petition is finally disposed of as allowed. Rule is made absolute with no order as to costs.

Direct service is permitted.

The petitioner shall supply two additional sets of the petition, which shall be forwarded to the respondents along with a copy of this order.

14th December, 1999 (A.R. Dave, J.)

(apj)